## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES S. FRAZIER, JR.,	)
Plaintiff,	) Civil Action No. 10-500
vs.	) Chief Magistrate Judge Lisa P. Lenihan
SECRETARY RAY MABUS, U.S. DEPT. OF THE NAVY; EXECUTIVE DIRECTOR W. DEAN PFEIFFER, BOARD FOR CORRECTION OF NAVAL RECORDS	) ) ) )
Defendants.	)

## **ORDER**

IT IS HEREBY ORDERED that Defendants' Renewed Motion for Summary Judgment is **DENIED** in accordance with the Memorandum Opinion issued on this date.

IT IS FURTHER ORDERED that the case be remanded to the Defendants

FORTHWITH, and specifically to the BCNR, for further proceedings – to be made in accordance with relevant law and this Opinion and with all due promptness. And it is directed that the subsequent record indicate the steps taken by Defendants to ensure compliance with this Order and the Court's Memorandum Opinion.

The Clerk is directed to mark this case closed.

Lisa Pupo Lenihan

Chief U. S. Magistrate Judge

Dated: October 26, 2013

cc: **JAMES S. FRAZIER, JR.**Post Office Box 224

McKeesport, PA 15134